

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-4 and 6-14 are pending in this application. Claim 1 is hereby amended. Claim 5 has been canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification, specifically at page 10, first paragraph. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-4 and 6-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,945,987 to Dunn in view of U.S Patent No. 6,134,547 to Huxley, et al. and further in view of U.S. Publication No. 2001/0056478 to Wheeler, et al.

### III. REJECTIONS ARE TRAVERSED AND WHEELER TEACHES AWAY FROM CLAIMED INVENTION

#### A. REJECTIONS ARE TRAVERSED

Claim 1 recites, *inter alia*:

“...wherein said user server is configured to receive from the data server only program retrieval identification codes and only a select number of program retrieval identification codes related to said at least one content keyword as a result of the searching by the data server.”  
(emphasis added)

Applicant submits that the pending Office Action fails to address the above-recited limitation.

Generally, the above-recited feature of claim 1 relates to minimizing the amount of data to be communicated. The Office Action asserts that Huxley teaches the same purpose. However, Huxley discloses accessing databases stored in a home storage medium such as a CD ROM.

Applicant submits that Huxley may have a similar purpose, but does not disclose or suggest the above-identified feature of claim 1. Specifically, Huxley fails to teach or suggest that the user server is configured to receive from the data server only program retrieval identification codes and only a select number of program retrieval identification codes related to said at least one content keyword

As understood by Applicant, U.S. Patent No. 5,945,987 to Dunn (hereinafter merely “Dunn”) relates to interactive entertainment with a video-on-demand application which

enable viewers to select criteria for grouping various video content programs into manageable sets for convenient review.

Cited portions of Dunn, specifically column 3, lines 16-20 and lines 28-30, disclose that a search finds the program data records of the criteria-satisfying programs. Program data records, including the program IDs and monikers and the trailer IDs and monikers are transferred. The set of preview video trailers are also transferred in sequential order for display on the viewer's television set.

As understood by Applicant, U.S. Publication No. 2001/0056478 to Wheeler, et al. (hereinafter merely "Wheeler") relates to an integrated system for coordinating a web site with a web browser using a storage medium local to the user.

Applicant submits that nothing has been found in Dunn, Huxley, or Wheeler, taken alone or in combination, that would teach or suggest the above-identified feature of claim 1. Specifically, Applicant submits that Dunn, Huxley, and Wheeler fail to teach or suggest that the user server is configured to receive from the data server only program retrieval identification codes and only a select number of program retrieval identification codes related to said at least one content keyword as a result of the searching by the data server, as recited in claim 1.

#### B. Wheeler Teaches Away From Claimed Invention

While Wheeler describes a browser that will indicate to a web site that it has a local address to a memory device, (See Wheeler [0012]) which reduces transmission time, Applicant submits that Wheeler does not teach or suggest that the user server is configured to receive from the data server only program retrieval identification codes, as recited in claim 1.

The Wheeler system is an integrated system that coordinates an Internet website and a web browser using a CD-ROM. In order for a user to implement the Wheeler system, the user must have access to a web browser using a storage medium that is local to a user and access to a storage medium that stores information that requires a long transmission time. Indeed, Wheeler describes a system in which large amounts of permanent textual data as well as graphics may be stored on a **CD-ROM that is periodically updated** (See Wheeler [0032]). The Wheeler system is an integrated system that coordinates an Internet website and a web browser using a CD-ROM.

Thus, Wheeler teaches away from the present claimed invention since Wheeler teaches that in order to increase the transmission speed, only a small amount of data is transmitted. The large amount of data is stored on a CD-ROM, which must be updated and sent to a user by a conventional delivery system. Such a system would be impractical with an Electronic Program Guide (EPG) system of the present invention since by the time the user received the CD-ROM, the program content would be over.

Therefore independent claim 1 is patentable.

For reason similar to those above, claim 9 is also patentable.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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